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DT06 Rec'd PCT/PTO 21 OCT 2002  
10/069007

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Docket No: Q68625

Mikiko SODEOKA, et al.

Appln. No.: 10/069,007

Group Art Unit: NOT YET ASSIGNED

Confirmation No.: 4541

Examiner: NOT YET ASSIGNED

Filed: February 20, 2002

For: DRUGS INHIBITING CELL DEATH

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, together with copies of the corresponding International Search Report and European Search Report.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a

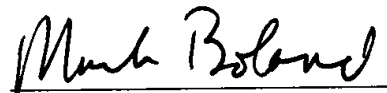
INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/069,007

request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant relies on the corresponding search reports referenced above, citing such documents, indicating the degree of relevance found by the EPO and/or International Bureau.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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Date: October 21, 2002

OCT 21 2002

PTO/SB/08 A &amp; B (modified)

Substitute for Form 1449 A &amp; B/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/069,007        |
| Confirmation Number    | 4541              |
| Filing Date            | February 20, 2002 |
| First Named Inventor   | Mikiko SODEOKA    |
| Art Unit               | NOT YET ASSIGNED  |
| Examiner Name          | NOT YET ASSIGNED  |
| Attorney Docket Number | Q68625            |

Sheet

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of

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## **U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|-----------------------|-----------------|--------------------------------------|--------------------------------|---|
|                    |                       | Number          | Kind Code <sup>2</sup><br>(if known) |                                |   |
|                    |                       |                 |                                      |                                |   |
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## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   |                     |                                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Translation <sup>6</sup> |
|--------------------|-----------------------|---------------------------|---------------------|--------------------------------------|--------------------------------|---|--------------------------|
|                    |                       | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                |   |                          |
|                    |                       | EP                        | 0 540 956           | A1                                   | 5/12/93                        |   | English                  |
|                    |                       | WO                        | 02/10158            | A2                                   | 2/7/02                         |   | English                  |
|                    |                       | EP                        | 0 384 349           | A1                                   | 8/29/90                        |   | No                       |
|                    |                       | WO                        | 91/13070            | A1                                   | 9/5/91                         |   | No                       |
|                    |                       | WO                        | 91/13071            | A1                                   | 9/5/91                         |   | No                       |
|                    |                       | WO                        | 00/38675            | A1                                   | 7/6/00                         |   | English                  |
|                    |                       | EP                        | 0 328 026           | A1                                   | 8/16/89                        |   | No                       |
|                    |                       | WO                        | 00/06564            | A1                                   | 2/10/00                        |   | No                       |
|                    |                       | WO                        | 00/47575            | A1                                   | 8/17/00                        |   | No                       |
|                    |                       | JP                        | 1-233281            | A                                    | 9/19/89                        |   | No                       |
|                    |                       |                           |                     |                                      |                                |   |                          |
|                    |                       |                           |                     |                                      |                                |   |                          |

## **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------|
|                    |                       | European Search Report dated August 30, 2002   |                          |
|                    |                       | International Search Report dated October 24, 2000   |                          |
|                    |                       | Siobhan T. HARKIN et al., "Modulation of Apoptosis in Rat Thymocytes by Analogs of Staurosporine: Lack of Direct Association with Inhibition of Protein Kinase C", Mol. Pharmacol., 1998, 54(4) pp. 663-670  |                          |
|                    |                       |  |                          |
|                    |                       |  |                          |

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.